

in view of Schmier, U.S. Patent 5,099,531; and additionally rejected claims 2 and 5 and rejected claims 6 and 8-9 under 35 U.S.C. § 103(a) as being unpatentable over Hoss et al in view of Schuetze and further in view of Schmier.

The Examiner is requested to reconsider and further examine this application, as
5 amended, for the following reasons given in connection with a discussion of the prior art.

Claim 1 has been amended to more clearly define applicant's invention and more clearly distinguish applicant's invention from the prior art. More specifically, claim 1 has been amended to define the bottom edge of the foot side of the flat sheet of applicant's
10 bedclothes as fixed to the bottom edge of the foot side of the fitted sheet thereof, to define the top edge of the foot side of the bed skirt thereof as fixed to the bottom edge of the foot side of the fitted sheet thereof, to define the top edge of the left side of the bed skirt thereof as fixed to the bottom edge of the left side of the fitted sheet thereof, and to define the top edge of the right side of the bed skirt thereof as fixed to the
15 bottom edge of the right side of the fitted sheet thereof. Support for such amendments are found in the original application. See, for example, Figs. 3 and 4 of the original drawings.

Neither Schuetze nor Hoss et al, taken singly or as a whole, disclose or suggest the specifically defined bedclothes of amended claim 1. The combination bedspread and
20 sleeping enclosure of Schuetze teaches fixing the foot side, left side, and right side of the "flat" sheet component thereof to the **top** edge of the corresponding "fitted" sheet component, resulting in something similar to a sleeping bag having only a single opened end, and thus does not disclose or suggest a flat sheet including a foot side having a top and bottom edge and depending from the top thereof for covering at least a portion of
25 the foot side of the fitted sheet, a left side having a top and bottom edge and depending

from the top thereof for covering at least a portion of the left side of the fitted sheet, and
a right side having a top and bottom edge and depending from the top thereof for
covering at least a portion of the right side of the fitted sheet. The sofabed sheet
organization of Hoss et al teaches a “flat” sheet component that also does not provide
5 any side over hang, and thus does not disclose or suggest a flat sheet including a left
side having a top and bottom edge and depending from the top thereof for covering at
least a portion of the left side of the fitted sheet and a right side having a top and bottom
edge and depending from the top thereof for covering at least a portion of the right side
of the fitted sheet as specifically required by amended claim 1. Accordingly, the
10 Examiner is requested to reconsider and allow claim 1, as amended.

Claims 2-4 depend directly from amended claim 1 and distinguish from the prior
art for the same reasons as hereinabove given relative to amended claim 1. In addition,
claim 2 has been amended to define the attaching means thereof as attaching the bottom
edge of the foot side of the comforter to the bottom edge of the foot side of the fitted
15 sheet. With respect to the Schmier bedding system, as stated at column 3, lines 31-39
thereof, the button 21 is attached to the foot of the mattress by a shank 22 that extends
“around the bottom fitted sheet” so that neither the flat sheet, bed skirt nor comforter is
fixed and attached to the bottom fitted sheet. Accordingly, the Examiner is requested to
reconsider and allow claims 2-4.

20 Claim 5 has also been amended to more clearly define applicant’s invention and
more clearly distinguish applicant’s invention from the prior art. More specifically, similar
to claims 1 and 2, claim 5 has been amended to define the bottom edge of the foot side of
the flat sheet of applicant’s bedclothes as fixed to the bottom edge of the foot side of
the fitted sheet thereof, to define the top edge of the foot side of the bed skirt thereof as
25 fixed to the bottom edge of the foot side of the fitted sheet thereof, to define the top

edge of the left side of the bed skirt thereof as fixed to the bottom edge of the left side of the fitted sheet thereof, to define the top edge of the right side of the bed skirt thereof as fixed to the bottom edge of the right side of the fitted sheet thereof, and to define the attaching means thereof as attaching the bottom edge of the foot side of the comforter 5 to the bottom edge of the foot side of the fitted sheet. Neither Schuetze nor Schmier, taken singly or as a whole, disclose or suggest the specifically defined bedclothes of amended claim 5, for the same reasons as hereinabove given relative to amended claims 1 and 2. Accordingly, the Examiner is requested to reconsider and allow claim 5.

Claims 6-9 depend directly from amended claim 5 and distinguish from the prior 10 art for the same reasons as hereinabove given relative to amended claim 5. Accordingly, the Examiner is requested to reconsider and allow claims 6-9.

It is respectfully submitted that the present application and all of its remaining claims are now in condition for an early allowance. All the prior art of record has been reviewed and considered but are not felt to come within the coverage of the claims now 15 in this case or to disclose or suggest the invention as specifically defined by the claims now in this case. If the Examiner is of the opinion that a telephone conference relative to this case would advance the prosecution, the Examiner is respectfully requested to call the undersigned attorney at the indicated telephone number.

An early formal favorable action is requested.

Respectfully submitted,

VIRGINIA S. MCCLENDON

By: Larry W. McKenzie

Larry W. McKenzie
6363 Poplar Ave., Suite 434
Memphis, TN 38119
Tel. No. (901) 685-7428
Registration No. 28,239
Attorney for Applicant

Date: 3-8-99

5 Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

Assistant Commissioner for Patents
Washington, D.C. 20231

on 3-8-99

Larry W. McKenzie Reg. No. 28,239

Date: 3-8-99